

Docket: 14491

# Declaration and Power of Attorney For Patent Application

## 特許出願宣言書及び委任状

## Japanese Language Declaration

## 日本語宣言書

下記の氏名の発明者として、私は以下の通り宣言します。

As a below named inventor, I hereby declare that:

私の住所、私書箱、国籍は下記の私の氏名の後に記載された通りです。

My residence, post office address and citizenship are as stated next to my name.

下記の名称の発明に関して請求範囲に記載され、特許出願している発明内容について、私が最初かつ唯一の発明者（下記の氏名が一つの場合）もしくは最初かつ共同発明者であると（下記の名称が複数の場合）信じています。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

ENDOSCOPE APPARATUS

上記発明の明細書（下記の欄でx印がついていない場合は、本書に添付）は、

the specification of which is attached hereto unless the following box is checked:

☐ 月 日に提出され、米国出願番号または特許協定条約国際出願番号を \_\_\_\_\_ とし、  
（該当する場合） \_\_\_\_\_ に訂正されました。

☒ was filed on April 10, 2001  
as United States Application Number or  
PCT International Application Number  
09/829,845 and was amended on  
\_\_\_\_\_ (if applicable).

私は、特許請求範囲を含む上記訂正後の明細書を検討し、内容を理解していることをここに表明します。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦規則法典第37編第1条56項に定義されるとおり、特許資格の有無について重要な情報を開示する義務があることを認めます。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

## Japanese Language Declaration (日本語宣言書)

私は、米国法典第35編119条(a)-(d)項又は365条(b)項に基づき下記の、米国外の国の少なくとも一カ国を指定している特許協力条約365(a)項に基づく国際出願、又は外国での特許出願もしくは発明者証の出願についての外国優先権をここに主張するとともに、優先権を主張している、本出願の前に出願された特許または発明者証の外国出願を以下に、枠内をマークすることで、示しています。

### Prior Foreign Application(s)

外国での先行出願

2000-108385

JAPAN

(Number)

(Country)

(番号)

(国名)

2001-038793

JAPAN

(Number)

(Country)

(番号)

(国名)

私は、第35編米国法典119条(e)項に基づいて下記の米国外特許出願規定に記載された権利をここに主張いたします。

(Application No.)

(出願番号)

(Filing Date)

(出願日)

私は、下記の米国法典第35編120条に基づいて下記の米国外特許出願に記載された権利、又は米国外を指定している特許協力条約365条(c)に基づき権利をここに主張します。また、本出願の各請求範囲の内容が米国法典第35編112条第1項又は特許協力条約で規定された方法で先行する米国外特許出願に開示されていない限り、その先行米国外出願書提出日以降で本出願書の日本国内または特許協力条約国際提出日までの期間中に入手された、連邦規則法典第37編1条56項で定義された特許資格の有無に関する重要な情報について開示義務があることを認識しています。

(Application No.)

(出願番号)

(Filing Date)

(出願日)

(Application No.)

(出願番号)

(Filing Date)

(出願日)

私は、私自身の知識に基づいて本宣言書で私が行なう表明が真実であり、かつ私の入手した情報と私の信じていることに基づき表明が全て真実であると信じていること、さらに故意になされた虚偽の表明及びそれと同等の行為は米国法典第18編第1001条に基づき、罰金または拘禁、もしくはその両方により処罰されること、そしてそのような故意による虚偽の表明を行えば、出願した、又は既に許可された特許の有効性が失われることを認識し、よってここに上記のごとく宣誓を致します。

I hereby claim foreign priority under Title 35, United States Code, Section 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Priority Not Claimed

優先権主張なし

10/4/2000

(Day/Month/Year Filed)

(出願年月日)

15/2/2001

(Day/Month/Year Filed)

(出願年月日)

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

(Application No.)

(出願番号)

(Filing Date)

(出願日)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of application.

(Status Patented, Pending, Abandoned)

(現況: 特許許可済、係属中、放棄済)

(Status Patented, Pending, Abandoned)

(現況: 特許許可済、係属中、放棄済)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## Japanese Language Declaration

(日本語宣言書)

(See attachment for additional attorneys and reg. nos.)

委任状: 私は下記の発明者として、本出願に関する一切の手続きを特許庁に対して遂行する弁理士または代理人として、下記の者を指名いたします。(弁理士、または代理人の氏名及び登録番号を明記のこと)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number)

Paul J. Esatto, Jr., Reg. No. 30,749

書類送付先

Send Correspondence to: Paul J. Esatto, Jr.  
Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, New York 11530

直接電話連絡先: (名前及び電話番号)

Direct Telephone Calls to: (name and telephone number)

Paul J. Esatto, Jr.  
(516) 742-4343

|             |   |                             |               |
|-------------|---|-----------------------------|---------------|
| 唯一または第一発明者名 | Full name of sole or first inventor<br>Junichi ONISHI   |                             |               |
| 発明者の署名      | 日付  | Inventor's signature        | Date          |
|             |   | <i>Junichi Onishi</i>       | Apr. 20, 2001 |
| 住所          | Residence<br>Hachioji-shi, Tokyo, Japan   |                             |               |
| 国籍          | Citizenship<br>Japan  |                             |               |
| 私書箱         | Post Office Address<br>c/o Intellectual Property Department<br>Olympus Optical Co., Ltd.<br>2-3, Kuboyama-cho, Hachioji-shi, Tokyo, Japan |                             |               |
| 第二共同発明者     | Full name of second joint inventor, if any<br>Keisuke MIURA   |                             |               |
| 第二共同発明者     | 日付  | Second inventor's signature | Date          |
|             |   | <i>Keisuke Miura</i>        | Apr. 20, 2001 |
| 住所          | Residence<br>Hachioji-shi, Tokyo, Japan   |                             |               |
| 国籍          | Citizenship<br>Japan  |                             |               |
| 私書箱         | Post Office Address<br>c/o Intellectual Property Department<br>Olympus Optical Co., Ltd.<br>2-3, Kuboyama-cho, Hachioji-shi, Tokyo, Japan |                             |               |

(第三以降の共同発明者についても同様に記載し、署名をすること)

(Supply similar information and signature for third and subsequent joint inventors.)

|             |   |
|-------------|---|
| 第三共同発明者     | Full name of third joint inventor, if any<br>Kazuo BANJU  |
| 第三発明者の署名 日付 | Third inventor's signature Date<br><i>Kazuo Banju</i> Apr. 20, 2001   |
| 住所          | Residence<br>Hachioji-shi, Tokyo, Japan   |
| 国籍          | Citizenship<br>Japan  |
| 私書箱         | Post Office Address<br>c/o Intellectual Property Department<br>Olympus Optical Co., Ltd.<br>2-3, Kuboyama-cho, Hachioji-shi, Tokyo, Japan |
| 第四共同発明者     | Full name of fourth joint inventor, if any<br>Koji YAMAUCHI   |
| 第四発明者の署名 日付 | Fourth inventor's signature Date<br><i>Koji Yamauchi</i> Apr. 27, 2001  |
| 住所          | Residence<br>Koganei-shi, Tokyo, Japan  |
| 国籍          | Citizenship<br>Japan  |
| 私書箱         | Post Office Address<br>c/o Intellectual Property Department<br>Olympus Optical Co., Ltd.<br>2-3, Kuboyama-cho, Hachioji-shi, Tokyo, Japan |
| 第五共同発明者     | Full name of fifth joint inventor, if any<br>Hiroyuki USHIFUSA  |
| 第五発明者の署名 日付 | Fifth inventor's signature Date<br><i>Hiroyuki Ushifusa</i> Apr. 20, 2001   |
| 住所          | Residence<br>Tama-shi, Tokyo, Japan   |
| 国籍          | Citizenship<br>Japan  |
| 私書箱         | Post Office Address<br>c/o Intellectual Property Department<br>Olympus Optical Co., Ltd.<br>2-3, Kuboyama-cho, Hachioji-shi, Tokyo, Japan |
| 第六共同発明者     | Full name of sixth joint inventor, if any<br>Kazuhiro GONO  |
| 第六発明者の署名 日付 | Sixth inventor's signature Date<br><i>Kazuhiro Gono</i> Apr. 20, 2001   |
| 住所          | Residence<br>Sagamihara-shi, Kanagawa, Japan  |
| 国籍          | Citizenship<br>Japan  |
| 私書箱         | Post Office Address<br>c/o Intellectual Property Department<br>Olympus Optical Co., Ltd.<br>2-3, Kuboyama-cho, Hachioji-shi, Tokyo, Japan |

|          |  |   |
|----------|--|---|
| 第七共同発明者  | Full name of seventh joint inventor, if any<br>Taro MIYAZAWA               |   |
| 第七発明者の署名 | 日付   | Seventh inventor's signature<br><i>Taro Miyazawa</i> Date<br>Apr. 20, 2001  |
| 住所       | Residence<br>Hino-shi, Tokyo, Japan  |   |
| 国籍       | Citizenship<br>Japan   |   |
| 私書箱      | Post Office Address<br>c/o Intellectual Property Department                |   |
|          | Olympus Optical Co., Ltd.<br>2-3, Kuboyama-cho, Hachioji-shi, Tokyo, Japan |   |
| 第八共同発明者  | Full name of eighth joint inventor, if any<br>Tomoyasu KAWAI               |   |
| 第八発明者の署名 | 日付   | Eighth inventor's signature<br><i>Tomoyasu Kawai</i> Date<br>Apr. 20, 2001  |
| 住所       | Residence<br>Nakano-ku, Tokyo, Japan                                       |   |
| 国籍       | Citizenship<br>Japan   |   |
| 私書箱      | Post Office Address<br>c/o Intellectual Property Department                |   |
|          | Olympus Optical Co., Ltd.<br>2-3, Kuboyama-cho, Hachioji-shi, Tokyo, Japan |   |
| 第九共同発明者  | Full name of ninth joint inventor, if any<br>Katsumi SASAKI                |   |
| 第九発明者の署名 | 日付   | Ninth inventor's signature<br><i>Katsumi Asahi</i> Date<br>Apr. 20, 2001    |
| 住所       | Residence<br>Sumida-ku, Tokyo, Japan                                       |   |
| 国籍       | Citizenship<br>Japan   |   |
| 私書箱      | Post Office Address<br>c/o Intellectual Property Department                |   |
|          | Olympus Optical Co., Ltd.<br>2-3, Kuboyama-cho, Hachioji-shi, Tokyo, Japan |   |
| 第十共同発明者  | Full name of tenth joint inventor, if any<br>Takeaki NAKAMURA              |   |
| 第十発明者の署名 | 日付   | Tenth inventor's signature<br><i>Takeaki Nakamura</i> Date<br>Apr. 20, 2001 |
| 住所       | Residence<br>Hino-shi, Tokyo, Japan  |   |
| 国籍       | Citizenship<br>Japan   |   |
| 私書箱      | Post Office Address<br>c/o Intellectual Property Department                |   |
|          | Olympus Optical Co., Ltd.<br>2-3, Kuboyama-cho, Hachioji-shi, Tokyo, Japan |   |



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                      |                        |                  |               |
|----------------------|------------------------|------------------|---------------|
| <b>Applicant(s):</b> | Junichi Onishi, et al. | <b>Examiner:</b> | Unassigned    |
| <b>Serial No.:</b>   | To be assigned         | <b>Art Unit:</b> | Unassigned    |
| <b>Filed:</b>        | Herewith               | <b>Docket:</b>   | 14491Z        |
| <b>For:</b>          | ENDOSCOPE APPARATUS    | <b>Dated:</b>    | June 20, 2003 |

Mail Stop Patent Application  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**ASSOCIATE POWER OF ATTORNEY (37 C.F.R. § 1.34)**

Sir:

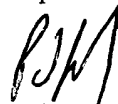
Please recognize as Associate Attorney in this case:

Thomas Spinelli

Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, NY 11530

Registration No. 39,533  
Telephone No. (516) 742-4343.

Respectfully submitted,



Paul J. Esatto, Jr.  
Registration No. 30,749

Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, NY 11530  
(516) 742-4343  
PJE:cm

---


**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

**Express Mailing Label No.:** EV244418290US

**Date of Deposit:** June 20, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Mail Stop Patent Application, P.O. Box 1450, Alexandria, VA 22313-1450, on June 20, 2003.

Dated: June 20, 2003

  
Thomas Spinelli